

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MUHAMMAD MILHOUSE,

Plaintiff,

-against-

MORGAN AND MORGAN, P.A.; MS.
KATHLEEN BEATTY; TARA CRUZ; TARIQ
SHURY; and JOHN DOE/JANE DOE,

Defendants.

23-CV-7016 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, a New York resident, brings this action asserting state law claims against Defendants, who reside in New York and Florida. By order dated October 27, 2023, the Court dismissed this action for lack of subject matter jurisdiction, finding that the Court could not exercise diversity jurisdiction of the state law claims because Plaintiff and some of the Defendants resided in New York. The Court provided Plaintiff with 30 days to file an amended complaint “to drop dispensable nondiverse defendants whose presence would defeat diversity of citizenship.” *Jaser v. New York Prop. Ins. Underwriting Ass’n*, 815 F.2d 240, 243 (2d Cir. 1987). Plaintiff filed an amended complaint on November 22, 2023, and named four Defendants, all of whom work at a New York law firm in New York County.

Because Plaintiff does not demonstrate that the Court can exercise diversity jurisdiction of his state law claims, the Court dismisses the amended complaint for lack of subject matter jurisdiction.

CONCLUSION

Plaintiff’s amended complaint, filed *in forma pauperis* under 28 U.S.C. § 1915(a)(1), is dismissed for lack of subject matter jurisdiction. *See* Fed. R. Civ. P. 12(h)(3).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Court directs the Clerk of Court to enter judgment in this action.

SO ORDERED.

Dated: March 18, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge